

REMARKS

Applicants have carefully reviewed the Application in light of the Office Action dated April 26, 2007. At the time of the Office Action, Claims 1-10, 12-52, 54-94, and 96-132 were pending and rejected in the application. Applicants amend Claims 1, 6-7, 17, 22-23, 28, 43, 48-49, 59, 64-65, 70, 85, 90-91, 101, 106-107, 112, 127, 129, and 130-132, and cancel claim 128, without prejudice or disclaimer. Applicants' amendments and cancellations have been done to advance prosecution of the Application and not to overcome the cited reference. Applicants respectfully request reconsideration of the pending claims and favorable action in this case.

Interview Summary

Applicants' attorney, Ms. Christa Brown-Sanford (Reg. No. 58,503), conducted a telephone interview with Examiner Phirin Sam on July 10, 2007. Applicants thank the Examiner for the courtesy and opportunity to conduct the telephone interview. Applicants submit this summary of the telephone interview to record Applicants' understanding of the substance of the interview and to comply with M.P.E.P. § 713.04.

During the interview, the Examiner and Applicants' attorney discussed the rejected claims and the cited reference. Applicants suggested claim amendments to advance prosecution of the case.

Section 102 Rejection

The Examiner rejects Claims 1-10, 12-52, 54-106, and 108-132 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0233892 issued to Roberts et al. (hereinafter "*Roberts*"). Applicants respectfully request reconsideration of this rejection of the above-mentioned claims.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P. § 2131.

Applicants respectfully submit that *Roberts* fails to disclose, teach, or suggest each and every element of Applicants' amended Claim 1, either expressly or inherently. For example, Claim 1 recites "receiving a caller-specified priority for the call based on a caller

input provided contemporaneously with the dialed number, wherein the priority is independent of a call recipient.” Instead, *Roberts* discloses that:

“priority caller information related to priority caller 160 is stored in a database associated with telephone network 100. The priority caller information may comprise priority caller 160’s telephone number . . . or additionally, the priority caller information may comprise a password or personal identification number . . . [in which case] *subscriber 110 must provide the priority code to priority caller 160* to use the present invention.”

Paragraph [0033] (emphasis added); *see also* Paragraph [0067]. Therefore, *Roberts* does not disclose “a caller-specified priority for the call based on a caller input provided contemporaneously with the dialed number, wherein the priority is independent of a call recipient.” Because *Roberts* fails to disclose at least this limitation, Applicants respectfully submit that *Roberts* cannot anticipate Claim 1 under 35 U.S.C. § 102(e). Thus, Applicants respectfully request reconsideration and allowance of independent Claim 1 and its dependents.

Independent Claims 17, 28, 43, 59, 70, 85, 101, 112, 127, and 130-132 each recite limitations that, for reasons substantially similar to those discussed with reference to independent Claim 1, *Roberts* does not disclose, teach, or suggest. Claims 17, 28, 43, 59, 70, 85, 101, 112, 127, and 130-132 are thus allowable for at least these reasons. Therefore, Applicants respectfully request reconsideration and allowance of independent Claims 17, 28, 43, 59, 70, 85, 101, 112, 127, and 130-132 together with their dependents.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicants respectfully request reconsideration and allowance of the pending claims.

Although no fees are believed to be due, the Commissioner is hereby authorized to charge any amount required or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTs L.L.P.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicants invite the Examiner to contact its attorney, Christa Brown-Sanford, at (214) 953-6824.

Respectfully submitted,
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